

INTRADEPARTMENTAL CORRESPONDENCE

February 25, 2021

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TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: OFFICER INVOLVED SHOOTING, FID NO. 017-20

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Honorable Members:

The following is my review, analysis, and findings for Officer Involved Shooting (OIS), Force Investigation Division (FID) No. 017-20. A Use of Force Review Board (UOFRB) was convened on this matter on February 1, 2021. In this case, the recommended findings were not unanimous, with a minority opinion rendered regarding the Tactics findings for Officers K. Ruiz, Serial No. 42706, and L. Coyle, Serial No. 43567, Newton Patrol Division.

I have carefully weighed each opinion, considered the case in its entirety, and have adopted the recommendations of the UOFRB minority for the Tactics finding for Officers Ruiz and Coyle. I hereby submit my findings in accordance with Police Commission policy.

SUMMARY¹

On Thursday, April 30, 2020, at approximately 2138 hours, Officers Ruiz and Coyle were working patrol in full police uniform and driving a marked black and white Police Sport Utility Vehicle (SUV) in the area of 23rd Street and Wall Street.

According to Officer Coyle, since they were assigned to a "Z" car, their mission for the day was not to handle radio calls, but rather to patrol high crime areas and conduct traffic stops and pedestrian stops, in an effort to reduce crime. Both officers were aware the area of 23rd Street and Wall Street was frequented by the Primera Flats gang, and a number of robberies and vehicle thefts had occurred there. Additionally, both Officers Coyle and Ruiz indicated the walls on the building at 23rd Street and Wall Street had been freshly painted and they were checking the area for fresh graffiti.

Note: According to Officers Coyle and Ruiz, they were regular partners and had worked together for approximately five months. They both stated they have had discussions on tactics in the past regarding traffic stops. According to Officer Ruiz, prior to the start of

¹ The summary and the investigation completed by FID for this incident have been provided to the Board of Police Commissioners.

watch, they discussed tactics, including their equipment, contact and cover roles, and radio communication.

According to the FID investigation, as Officers Ruiz and Coyle were driving west on 23rd Street and negotiated a right turn north onto Wall Street, they observed a black Mercedes Benz and black BMW Sports Utility Vehicle (SUV) stopped facing south at the stop sign. According to Officer Ruiz, he stopped his vehicle next to the black Mercedes, approximately five to seven feet away. Officer Ruiz observed a male driver and a female front passenger in the Mercedes. He utilized his flashlight to illuminate the occupants of the Mercedes and the BMW. Officer Ruiz noted that the driver of the Mercedes appeared nervous. According to Officer Ruiz, while still seated in his police vehicle, he waved his hand at the driver of the Mercedes and stated, "Bro," to get his attention. Officer Ruiz looked at the driver of the BMW and noted he was a male Hispanic with tattoos on his face, later identified as J. Hernandez.² He also observed a male, later identified as A. Villegas, seated in the rear passenger seat.³ Additionally, Officer Ruiz observed the male front passenger in the BMW, later identified as D. Bravo, had a bandana covering his face, which he thought was "odd," since no one else in the vehicle was covering their face.⁴

Note: Officer Ruiz was unable to precisely identify the tattoos on the driver of the BMW; however, he indicated that in his experience, facial tattoos are a common symbol that gang members use to show allegiance to their gang.

The investigation determined that Hernandez did not have a tattoo on his face; however, Villegas did have tattoos on his face.

Officer Ruiz looked to his right and noted that the wall of the business on the northeast corner had been freshly painted with "Flats" gang graffiti. Based on his training and experience, Officer Ruiz formed the opinion that the driver of the BMW may be a gang member, and the occupants of the BMW had just committed a crime or were about to.

According to Officer Coyle, he believed the driver of the Mercedes appeared to be fearful, nervous and noted he was visibly sweating and shaking. According to Officer Coyle, as Officer Ruiz made verbal contact with the driver of the Mercedes, he shone his passenger side spotlight into the front windshield of the black BMW, in order to better see the occupants. According to Officer Coyle, he did not put them Code Six or activate his BWV at this time because he was more concerned with watching the occupants of the vehicles for possible threats since they were in a known gang area [**Debriefing Point No. 1 – Code Six and Additional/Equipment – Required Equipment (DICV Microphone)**].

² The driver of the BMW was ultimately identified as Jose Hernandez, male, Hispanic, 31 years of age.

³ The rear passenger was ultimately identified as Anthony Villegas, male, Hispanic, 30 years of age.

⁴ The front passenger of the BMW was ultimately identified as the suspect, Daniel Hernandez Bravo, male, Hispanic, 28 years of age. The investigation determined there was no familial relationship between Jose Hernandez and Daniel Hernandez Bravo. For clarity, Daniel Hernandez Bravo will be referred to by "Bravo" throughout the remainder of this summary.

According to the FID investigation, Officers Ruiz and Coyle's Digital In-Car Video System (DICVS) captured Officer Ruiz reverse their police vehicle and reposition it in a slight northwest direction, angled toward the front hood of the Mercedes. According to Officer Ruiz, he stopped his vehicle approximately 12 feet away from the Mercedes.⁵ Officer Ruiz placed the police vehicle in park and opened his door. According to Officer Ruiz, he placed his left foot on the ground, and kept his right foot on the floorboard of the vehicle, as he stood behind his open door. Officer Ruiz utilized his flashlight to illuminate the driver of the Mercedes, who spontaneously placed his arms out of the window. Meanwhile, Officer Coyle opened his door and used his spotlight to illuminate the occupants of the BMW, while remaining seated in the vehicle.

According to Officer Ruiz, he briefly spoke to the driver of the Mercedes and asked if he was okay. The driver's side window of the Mercedes was also open, and the driver replied, "I'm fine." According to Officers Coyle and Ruiz, they were attempting to determine if the driver of the Mercedes was a victim of a crime involving the occupants in the BMW. According to Officer Ruiz, he was considering initiating an investigative stop on the two vehicles due to the fresh gang graffiti in the area, so he and Officer Coyle began to discuss the best way to tactically approach the vehicles and began to discuss requesting an additional unit. However, as they were discussing this, the BMW reversed northbound at a high rate of speed.⁶ According to Officer Coyle, his intent was to exit his police vehicle and stand behind the ballistic door panel for cover, but he was unable to do so before the BMW fled (**Debriefing Point No. 2 – Tactical Vehicle Deployment**).

According to the FID investigation, Officer Ruiz entered the police vehicle as Officer Coyle closed his passenger door and they began to follow the BMW north on Wall Street. The DICVS captured the BMW reverse north and collide with a white Subaru vehicle that was parked along the east curb of Wall Street. Officers Ruiz and Coyle's DICVS captured their police vehicle slowing as they approached the BMW, which had briefly stopped moving after the collision. Officer Coyle's BWV captured him unholster his pistol while seated in the vehicle, which he held in his right hand.⁷

Officer Coyle stated that he drew his service pistol because he, "believed the situation may escalate to the point where deadly force is justified because they are driving the vehicle back at a high rate of speed." Officer Coyle stated that he did not, "know if they're going to put it in drive and would ram" them. Officer Coyle added that his partner had been rammed by a vehicle during a pursuit approximately two weeks prior (**Drawing/Exhibiting**).⁸

⁵ The investigation determined Officer Ruiz and Coyle were stopped next to the Mercedes for approximately nine seconds before repositioning their vehicle.

⁶ According to the FID investigation, approximately 28 seconds passed from the time Officers Ruiz and Coyle made contact with the Mercedes driver to the time the BMW reversed away from the police vehicle. Officer Ruiz estimated the vehicle reversed at approximately 25 to 30 miles per hour (MPH), while Officer Coyle estimated the speed to be approximately 35 to 40 MPH.

⁷ Gleaned from Officer Coyle's BWV at approximately 2138:35 hours.

⁸ The investigation determined that on April 9, 2020, Officer Ruiz was involved in a vehicle pursuit where the suspect attempted to ram his vehicle but was unsuccessful. A pursuit report was completed documenting the incident, under Division of Records No. 2013-09238.

Note: The investigation determined that Hernandez reversed a distance of approximately 250 feet, north on Wall Street.

According to the FID investigation, Officer Coyle's BWV captured him holding his service pistol in his right hand while utilizing his left hand to open his door. Officer Coyle then used his left hand and obtained the vehicle's radio microphone. According to Officer Coyle, he did not broadcast their Code Six location as they drove north because he did not want to lose sight of the suspects in front of him. After the collision, the BMW accelerated forward, west, and drove into an east-west alleyway across the street from where the collision occurred. Officer Ruiz drove their police vehicle into the alleyway following the BMW. As the police car began moving again, Officer Coyle's door closed, and he continued to hold the microphone in his left hand and his pistol in his right hand. According to Officer Coyle, he knew that the alleyway was a dead end, and believed that the occupants would exit their vehicle and flee, so he remained unholstered

According to Officer Ruiz, as the BMW drove into the alley, he believed the occupants of the BMW were clearly trying to evade them. Officer Ruiz was unsure if the occupants would flee on foot, but his intention was to detain them for the hit and run incident he had just observed, so he directed Officer Coyle to request a back-up.⁹

According to the FID investigation, at approximately 2138:42 hours, Officer Coyle broadcast, "Z3, let me get a backup two-two-two Wall Street." As he made the broadcast, Officer Coyle's BWV captured him use his right hand, while still holding his service pistol, to open his door, and push the door with his right foot. This was the first broadcast the officers made to Communications Division (CD) during the incident. According to Officer Coyle, although he intended to make the broadcast, he did not recall having time to make it (**Debriefing Point No. 3 – Occupying Moving Vehicle with Service Pistol Drawn**).

Hernandez stopped the BMW in the alleyway, approximately 100 feet west of Wall Street. Officer Ruiz activated his forward-facing red light and siren and stopped their police vehicle approximately 11 feet, behind the BMW. Once the BMW was stopped, DICVS captured Hernandez exit the driver's door and Villegas exit the left rear passenger door of the BMW. They both ran in a northwesterly direction toward the apartment complex located at 2225 Wall Street. As the occupants ran, Officer Ruiz' BWV captured him state, "Let me see your fucking hands!" Meanwhile, Bravo exited the front passenger door of the BMW and ran east, on an elevated sidewalk. According to Officer Ruiz, he observed Bravo exit the BMW and run towards Officer Coyle. As Bravo ran, Officer Ruiz observed him holding his waistband area, which led Officer Ruiz to believe that Bravo was armed with a handgun. Officer Ruiz also believed it was unusual that Bravo ran back towards Officer Coyle instead of running away from him to attempt to escape (**Additional Tactical Debrief Topics – Profanity**).

⁹ According to the FID investigation, at approximately 2138:41 hours, Officer Ruiz' BWV captured him directing Officer Coyle to request a backup.

According to Officer Coyle, as he was attempting to broadcast, he observed Bravo running in his direction, *holding his waistband*, as if Bravo was going to pull a weapon out from his waistband. Officer Coyle dropped the microphone from his left hand and turned to his right to exit the vehicle. As Bravo ran on the sidewalk, Officer Coyle observed Bravo remove a *blue-steel* handgun from his waistband with his right hand. Officer Coyle believed Bravo was removing the handgun in *an attempt to shoot him*. As Bravo removed the handgun, Officer Coyle believed Bravo lost his grip because the handgun went *flying in front of him*. Officer Coyle estimated that the gun slid approximately 12 feet in front of Bravo. Officer Coyle knew it was a real handgun when he observed *the glare from the light reflecting off the handgun as it was flying through the air and heard the steel hit the concrete when it hit the ground*. When Bravo ran past him on the sidewalk, Officer Coyle estimated Bravo came within seven to ten feet of him.

According to the FID investigation, Officer Coyle's BWV captured Bravo's handgun fall onto the ground and slide along a dirt parkway, adjacent to the sidewalk, before coming to a stop in the parkway. Officer Coyle's BWV captured Bravo continue to run east and step off the sidewalk onto the alleyway.

According to Officer Coyle, due to the fact Bravo just dropped a firearm, Officer Coyle moved east in the alley toward the rear of his police vehicle. Officer Coyle's intent was to redeploy around the rear of his vehicle to be with Officer Ruiz on the driver's side of the vehicle, since he no longer had the cover of his vehicle door. As Officer Coyle moved, he began to point his service pistol at the middle portion of Bravo's back. As Bravo continued east and neared his handgun lying in the parkway, Bravo *reached down and grabbed the handgun with his right hand*. Believing that Bravo was going to shoot him or his partner, Officer Coyle discharged his first volley of approximately three to four rounds at the center of Bravo's back. Officer Coyle stated he fired *because Bravo had already presented the fact that he was going to pull a handgun and shoot him, because he already tried and dropped it*. Officer Coyle also stated that Bravo *had a chance to run, but instead of running past the handgun, Bravo grabbed the handgun to shoot me and my partner (Lethal Force – Volley One)*.

Note: According to the FID investigation, Officer Coyle discharged approximately three to four rounds, in a northeasterly direction, from an increasing distance of approximately 12 to 17 feet (Volley One).

Simultaneously, according to Officer Ruiz, he had lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, toward the rear of his vehicle. Officer Ruiz heard *nervousness* in Officer Coyle's voice and heard Officer Coyle state, "Drop the gun, drop the weapon!" Officer Ruiz heard approximately three shots being fired, so he unholstered his pistol and held it in a two handed shooting position. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. According to Officer Ruiz, Bravo was turning his torso and shoulders east, and looking back in their direction, and bringing the handgun up between his torso and shoulders. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. Based on Bravo's body positioning, Officer Ruiz believed Bravo was

trying to acquire him and Officer Coyle as a target and intended to shoot at them. In order to protect his life and the life of his partner, Officer Ruiz aimed his pistol at Bravo's upper torso and lower shoulder area, and discharged one round. Immediately after Officer Ruiz discharged his single round, he observed Officer Coyle to his left and moving to the east, approximately three to four feet in front of him. According to Officer Ruiz, he immediately lowered his muzzle to avoid a crossfire situation (**Drawing/Exhibiting, Lethal Force, and Debriefing Point No. 4 – Crossfire**).

Note: According to Officer Coyle, he did not recall giving commands to Bravo; however, Officer Ruiz' BWV captured Officer Coyle stating, "Drop it."

According to Officer Coyle, after his first volley, he quickly assessed and observed Bravo continue to run east while looking back, west, at him and Officer Ruiz, with the handgun still in Ruiz' right hand. Officer Coyle noted Bravo's body was bladed to the right, with his left foot on the ground, and his right foot back toward their direction. Officer Coyle observed Bravo raise his right arm to shoulder level and point the handgun at him and Officer Ruiz. Officer Coyle stepped to his right as he aimed his service pistol at the right side of Bravo's chest and discharged a second volley of approximately three to four rounds at Bravo. When asked if he felt there was any other options than to fire his second volley, Officer Coyle stated, "No. That handgun was pointed right at me and my partner. And if I didn't stop that threat, he was going to kill me and my partner" (**Lethal Force – Volley Two**).

Note: According to the FID investigation, Officer Coyle discharged approximately three to four rounds, in a northeasterly direction, from an approximate distance of 17 feet (**Volley Two**).

The FID investigation determined that from the time Officer Coyle exited the police vehicle, to the time his last round was fired, approximately four seconds elapsed. Additionally, the investigation determined that Officer Coyle discharged a total of seven rounds, in two volleys, in approximately two seconds.

A sound graph was utilized to identify the order of shots fired by both officers. The investigation was unable to determine the exact placement of Officer Ruiz' discharged round within the discharge order of his and Officer Coyle's total rounds. However, the investigation was able to determine that Officer Ruiz' shot was either shot five or six on the sounds graph which recorded eight individual rounds from Officers Ruiz and Coyle combined.

According to the FID investigation, after discharging their service pistols, Officers Coyle and Ruiz assessed and observed Bravo fall to the ground, with the handgun underneath him. Officers Coyle and Ruiz each placed their service pistols in low ready positions, with their muzzles pointed toward Bravo. They both moved to the south side of the alley, to a position of cover along a concrete wall on the west side of Wall Street. As they moved towards the wall, at

approximately 2138:56 hours, Officer Coyle's BWV captured him broadcast, "Z3, shots fired, shots fired! Officer needs help!" Once they were behind the wall, Officers Coyle and Ruiz verbalized to Bravo to not move and to lie flat on the ground.

Note: Upon review of Newton base frequency, it was determined that the frequency only captured Officer Coyle broadcast, "Officer needs help!"

According to the FID investigation, Officers A. Urrutia, Serial No. 36065, M. Tracey, Serial No. 44124, F. Vidaure, Serial No. 42534, from Newton Division Patrol, along with Officers M. Garcia, Serial No. 39924, J. Zuniga, Serial No. 43993, M. Braun, Serial No. 40756, D. Salcedo, Serial No. 44072, M. Garcia, Serial No. 42500, L. Blanco, Serial No. 42648, R. Sanko, Serial No. 43988, and N. Holstein, Serial No. 43688, from Central Division Patrol, responded to the help call. Sergeants R. Koval, Serial No. 32560, W. Hines, Serial No. 37786, S. Blanco, Serial No. 39533, from Newton Patrol Division, Sergeant L. Contreras, Serial No. 25402, from Central Division Patrol, and Lieutenant R. Jovel, Serial No. 33400, from Newton Area, Gang Impact Team, responded to the help call [**Additional/Equipment – Required Equipment (Baton), Required Equipment (HRD), and BWV**].

According to the FID investigation, at approximately 2140:19 hours, Officers Urrutia and Tracey were the first unit to arrive. Officer Urrutia spoke with Officers Ruiz and Coyle, ascertained that an OIS had occurred, and that there were two suspects that had fled from the vehicle stop that preceded the OIS. Officer Urrutia broadcast a shots fired help call and initiated the formation of a perimeter.

At approximately 2142:11 hours, Sergeant Koval was the first supervisor to arrive. Sergeant Koval declared himself Incident Commander and was briefed on the incident by Officers Ruiz and Coyle. As Sergeant Koval assessed the situation several other supervisors arrived, including Lieutenant Jovel and Sergeants Hines, Contreras, and Blanco. Sergeant Koval tasked Sergeants Hines and Blanco with separating, monitoring and obtaining a Public Safety Statements (PSS) from Officers Ruiz and Coyle. Sergeant Koval, with assistance from Sergeant Contreras, formed an arrest team and facilitated the arrest of Bravo. The arrest team was comprised of the following officers:

- Officer Salcedo utilized the ballistic shield and was armed with his service pistol.
- Officers Zuniga and Vidaure acted as cover officers and were each armed with a shotgun.
- Officers Martin, Garcia, Braun, and Holstein were additional cover officers for the arrest team and were armed with their service pistols.
- Officers Blanco, Sanko, Mauro, and Garcia acted as the physical arrest team.
- Sergeant Contreras provided direction to Officers Salcedo and Zuniga.
- Sergeant Koval provided direction to the arrest team.

At approximately 2145:16 hours, Sergeant Koval broadcast to CD, inquiring if a Rescue Ambulance (RA) had already been requested. The Radio Telephone Operator (RTO) inquired as to the nature of the injuries, indicating that an RA had not yet been requested, and Sergeant Koval advised that Bravo was unconscious and not breathing.

At approximately 2148:12 hours, the arrest team approached Bravo and took him into custody without incident. Sergeant Koval then directed the arrest team to carry Bravo to the northwest corner of 23rd Street and Wall Street in order for Bravo to receive medical attention from the responding RA unit (**Additional/Equipment – Medical Treatment/Rendering Aid and Less-Lethal Force Options**).

According to the FID investigation, at approximately 2155:20 hours, Los Angeles Fire Department (LAFD), RA 10, arrived at scene and rendered aid to Bravo. Los Angeles Fire Department personnel were unable to revive Bravo and determined time of death at 2200 hours.

According to the FID investigation, at approximately 2210 hours, Captain H. Mohammadi, Serial No. 36506, Newton Division, Commanding Officer, notified the Department Operations Center (DOC) of the OIS.

According to the FID investigation, multiple units from the Metropolitan Division K-9 Unit, including Sergeant II Arno Clair, Serial No. 31212, responded to the scene. Sergeant Clair was advised that an OIS occurred, and it was unknown if the outstanding suspects fired at the officers or were armed with weapons. Based on the facts provided to him, Sergeant Clair determined the criteria for a K-9 search had been met and coordinated a K-9 search of the area. As a result of the K-9 search, Villegas was ultimately located walking out of an alleyway at 2219 Wall Street at approximately 2245 hours. He was taken into custody without incident and positively identified by Officer Coyle during a subsequent field show-up. On May 1, 2020, at approximately 0034 hours, while searching the rear yard of 2224 ½ Wall Street, K-9 Nik, Serial No. K9318, Metropolitan Division, located Hernandez hiding in a storage container. Hernandez had a K-9 contact with K-9 Nik and was then taken into custody without further incident. Hernandez was positively identified by Officer Coyle and transported by RA to a local hospital where he was treated by medical staff. Hernandez was not hospitalized and was cleared for booking.¹⁰

NOTE: Sergeant J. McDonald, Serial No. 27620, Metropolitan Division, K-9 Unit, completed a K-9 Contact investigation for this incident. The incident was evaluated and the deployment of K-9, Contact of K-9, and Post K-9 Contact procedures were determined to be consistent with established criteria. The Commanding Officer of Counter – Terrorism and Special Operations Bureau (CTSOB) concurred with this evaluation.

¹⁰ According to the FID investigation, Hernandez's K-9 contact did not require hospitalization; therefore, it did not meet the criteria for a Categorical Use of Force. The K-9 contact was handled by Metropolitan Division through normal reporting protocols. The specific facts related to the K-9 search announcements, K-9 contact, Hernandez' injuries, and subsequent K-9 Deployment Report can all be reviewed under Metropolitan Division K9 Contact No. 20-0108.

FINDINGS

Tactics – Administrative Disapproval, Officers Ruiz and Coyle.

Drawing/Exhibiting – In Policy, No Further Action, Officers Ruiz and Coyle.

Lethal Use of Force – In Policy, No Further Action, Officers Ruiz and Coyle.

ANALYSIS¹¹

Detention

Officers Ruiz and Coyle were in the area of 23rd Street and Wall Street, which is frequented by the Primera Flats gang. They observed two vehicles they believed to be involved in a gang related crime. As the officers repositioned their police vehicle, the second vehicle reversed and collided with a parked vehicle. The suspect vehicle then fled into a dead-end alley. The officers activated their forward-facing red light and audible siren with the intent to detain the driver for a hit and run incident. As the suspect vehicle stopped, all three suspects exited the suspect vehicle and fled on foot. The front passenger, Bravo, ran towards the Officer Coyle's direction while retrieving a handgun from his waistband area. Bravo dropped his handgun and as he retrieved it from the ground resulting in an OIS incident. The other occupants who fled from the location were located within a containment perimeter and also taken into custody. The actions of detaining Bravo, and the other occupants of the vehicle during this incident were appropriate and within Department policies and procedures.

Tactics

Department policy relative to a Tactical Debrief is: *"The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance."*

Department policy relative to Administrative Disapproval is: *"A finding, supported by a preponderance of the evidence that the tactics employed during a CUOF incident unjustifiably and substantially deviated from approved Department tactical training"*

The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances. (Los Angeles Police Department Manual, Volume 3, Section 792.05).

¹¹ The analysis reflects my recommendations as supported by the preponderance of the evidence established by the FID investigation.

Tactical De-Escalation

Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.

Tactical De-Escalation Techniques

- *Planning*
- *Assessment*
- *Time*
- *Redeployment and/or Containment*
- *Other Resources*
- *Lines of Communication (Los Angeles Police Department, Use of Force - Tactics Directive No. 16, Tactical De-Escalation Techniques, October 2016).*

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

Planning – Prior to the day of the OIS, Officers Ruiz and Coyle had worked together as regular partners for approximately five months and had numerous discussions regarding tactics. The discussions have included, but were not limited to, concept of contact and cover, vehicle stops, foot pursuits, and radio communications. Officers Ruiz and Coyle had agreed that the driver of the police vehicle would normally be the contact officer and the passenger would normally be the cover officer. However, these roles could switch depending on the situation. Throughout their time working together, Officers Ruiz and Coyle would debrief their performance in past tactical situations and discuss improvements to their current work patterns.

The UOFRB discussed that while Officers Ruiz and Coyle were presented with a rapidly evolving situation, they had not discussed or formulated a tactical and/or investigatory plan for their initial approach of the stopped vehicles. Although Officers Ruiz and Coyle proceeded to discuss requesting an additional unit after Officer Ruiz redeployed the police vehicle, this planning was initiated with a delay. Due to their ongoing investigatory actions taking place concurrently with their planning for the investigatory stop, Officer Ruiz and Coyle split their attention between multiple tasks and in a shortened time frame to the BMW's rapid reversal. This did not allow sufficient time to formulate and implement a plan to deal with the situation that presented itself. The UOFRB would have preferred that Officers Ruiz and Coyle had utilized the limited time available to them to place themselves Code Six, request additional units, and/or communicate with each other in order to effectively conduct an investigative stop prior to initiating enforcement actions.

Assessment – Officers Ruiz and Coyle assessed throughout their investigatory stop, during the OIS, and during their tactics after the OIS. When Officers Ruiz and Coyle observed the two vehicles stopped on Wall Street, they immediately began to investigate and assess the condition

of the two vehicles. Officers Ruiz and Coyle utilized their flashlights and vehicle mounted spotlight to illuminate the interior of the Mercedes and BMW. By utilizing their various white light sources, Officers Ruiz and Coyle were able to observe that the occupants of the BMW had facial tattoos, wore a bandana over the lower part of their face, and that there was a significant amount of movement occurring in the vehicle. These observations led Officers Ruiz and Coyle to believe that the occupants were local "Primera Flats" gang members. Officers Ruiz and Coyle also assessed the condition of the driver of the Mercedes during this time. They observed that the driver was sweating, appeared scared, and was visibly shaking. All of these observations led Officers Coyle and Ruiz to believe that the occupants of the BMW were "hitting up" the occupants of the Mercedes and showing the dominance of "Primera Flats". This conclusion was strengthened by the presence of fresh graffiti for the "Primera Flats" street gang on a building along the east side of Wall Street.

After Officers Ruiz and Coyle followed the BMW in the alley, they both assessed the actions of Bravo, Villegas, and Hernandez. Villegas and Hernandez were observed fleeing and did not pose an active threat to Officers Ruiz and Coyle. However, both Officers Ruiz and Coyle observed that Bravo ran towards Officer Coyle while gripping his waistband. Bravo's action of running toward Officer Coyle and gripping his waistband led Officers Ruiz and Coyle to believe that Bravo was armed with a handgun and was intent on attacking Officer Coyle.

Officer Coyle utilized his sense of sight and sound during his assessment of Bravo. He visually observed that Bravo was holding his waistband and removed a handgun from the same location. Officer Coyle stated that after Bravo dropped his handgun, Officer Coyle heard the sound of metal striking a hard surface when the handgun fell to the ground which led him to believe it was a real handgun and not an airsoft or replica handgun.

As Officer Ruiz lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, toward the rear of his vehicle. Officer Ruiz heard nervousness in Officer Coyle's voice and heard Officer Coyle state, "Drop the gun, drop the weapon!" Officer Ruiz heard approximately three shots being fired, so he unholstered his pistol and held it in a two handed shooting position. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. According to Officer Ruiz, Bravo was turning his torso and shoulders east, looking back in his direction, and bringing the handgun up between his torso and shoulders. Based on Bravo's actions, Officer Ruiz believed Bravo was trying to acquire him and Officer Coyle as a target and intended to shoot at them.

The UOFRB was critical of Officer Ruiz' placement of the police vehicle as he assessed the incident and followed the BMW into the alley. Both Officers Ruiz and Coyle stated that they were aware that the alley was a dead-end alley and offered no avenue of exit for a vehicle. It would have been preferable that Officer Ruiz followed high risk vehicle pullover procedures and not approached the BMW as closely as he did. However, the UOFRB also noted that the situation was rapidly evolving and that the BMW's sudden stop may have caused Officer Ruiz to stop closer than he would have given proper time to assess the situation.

Time – The time from Officers Ruiz and Coyle initiating contact with the Mercedes driver and the last round discharged in the OIS was approximately 50 seconds. This compressed time frame caused by Hernandez and Bravo's actions limited Officers Ruiz and Coyle's opportunity to utilize de-escalation techniques.

The UOFRB noted that the entire incident developed rapidly and ended with Officer Ruiz and Coyle being presented with a perceived threat of death or serious bodily injury. This led to a lack of time to utilize alternative de-escalation techniques.

Redeployment and/or Containment – Officers Ruiz and Coyle initially observed the Mercedes and BMW stopped at a stop sign. Officer Ruiz stopped his police vehicle alongside the Mercedes as he assessed the situation. Based on his observations and belief that a crime had occurred or was about occur, Officer Ruiz reversed their police vehicle and reposition it in a slight northwest direction, angled toward the front hood of the Mercedes. According to Officer Ruiz, he stopped his vehicle approximately 12 feet away from the Mercedes.

During the OIS, Officer Coyle was cognizant of Villegas and Hernandez fleeing in a northwesterly direction. He was also aware that Bravo was running easterly and that the movements of these two groups of potentially armed suspects placed him at a disadvantage due to his position between each group, without suitable cover from both. In response to his loss of appropriate cover, Officer Coyle attempted to redeploy to the driver side of the police vehicle to utilize it as cover prior to the OIS occurring.

The UOFRB discussed that it would have been preferable for Officer Ruiz, upon his initial approach of the two vehicles, to bypass the Mercedes and BMW and assume a position of advantage behind the BMW. However, the UOFRB also weighed the dangers associated with driving next to a potentially armed suspect and noted that Officer Ruiz redeployed his vehicle so that the engine compartment and ballistic door panels of their police vehicle were facing the Mercedes and BMW, thus providing cover for Officers Ruiz and Coyle.

Other Resources – During the initial investigatory stop, Officer Ruiz reoriented the police vehicle towards the Mercedes and BMW, at which point he and Officer Coyle began to discuss requesting additional units to assist them in their investigatory traffic stop. However, simultaneous to the beginning of their discussion on additional units, the BMW reversed away from them causing Officers Ruiz and Coyle to re-enter their police vehicle and follow the fleeing BMW. After observing the BMW collide with two parked vehicles, Officer Ruiz followed the BMW into an adjacent alley. As he Officers Ruiz and Coyle entered the alley, Officer Ruiz instructed Officer Coyle to request a backup to summon emergency assistance. After the OIS, Officer Coyle broadcast a shots fired help call.

The UOFRB discussed that they would have preferred Officer Coyle to broadcast his back-up request when the BMW reversed or when the BMW collided with the parked vehicles, prior to entering the alley and attempting to detain the occupants of the BMW.

Lines of Communication – When Officer Ruiz followed the fleeing BMW into the alley, he advised Officer Coyle to request a back-up. Officer Ruiz then exited his police vehicle and issued a verbal command to the occupants of the BMW. The occupants of the BMW did not follow Officer Ruiz' verbal command and fled from the vehicle. When Bravo ran towards Officer Coyle, Officer Coyle ordered Bravo to drop his handgun. Bravo disregarded Officer Coyle's command.

The UOFRB was critical of Officers Ruiz and Coyle's communication prior to their investigative stop. Officers Ruiz and Coyle did not discuss their observations or what they intended to do regarding the two stopped vehicles. The UOFRB board would have preferred that Officers Ruiz and Coyle had communicated with each other and formulated a plan to initiate an investigatory stop, including placing themselves Code Six and properly positioning their police vehicle. Additionally, the UOFRB would have preferred that Officer Coyle broadcast the back-up request prior to attempting to stop the BMW in the alley. The UOFRB additionally noted neither officer communicated their observations that Bravo was armed with a handgun, but the UOFRB also took into consideration how rapidly the incident unfolded.

During the review of the incident, the following Debriefing Topics were noted:

Debriefing Point No. 1

Code Six

(Substantial Deviation, without Justification – Officers Ruiz and Coyle)

When a unit is conducting a field investigation and no assistance is anticipated, a "Code Six," followed by the location, shall be broadcast. A unit shall not go "Code Six" until it arrives at the scene of a call.

Units on "Code Six" status shall remain available for reassignment to priority calls by monitoring their radio frequencies. A unit on "Code Six" status may indicate to the dispatcher additional circumstances, which will make the unit unavailable for assignment to a priority call.

These circumstances may include:

- *Suspect in custody;*
- *Primary unit at a crime scene; and/or,*
- *Required at a Back-up, assistance, or help location.*

Note: *The unit shall notify the dispatcher as soon as it is again available for radio calls (Los Angeles Police Department Manual, Volume 4, Section 120.40).*

Officers Ruiz and Coyle did not broadcast a Code Six location when they initiated their investigation into possible gang related vandalism in the area of 23rd Street and Wall Street involving two stopped vehicles.

When Officers Ruiz and Coyle made a right turn from westbound 23rd Street to northbound Wall Street, they observed a black Mercedes sedan stopped facing southbound on the north side of the Wall Street and 23rd Street intersection. A black BMW Sport Utility Vehicle was stopped directly behind the Mercedes sedan. According to Officer Ruiz, the area of 23rd Street and Wall Street is an area of high gang activity and was the founding area for the "Primera Flats" street gang. The surrounding area had fresh spray painting for the Primera Flats street gang. In addition, Officer Ruiz observed facial tattoos on the occupants of the vehicles and this led him to believe they were gang members. The driver of the Mercedes Benz had a fearful expression on his face as he sat in his vehicle that was stopped at the intersection. The facial tattoos, the fresh spray painting of the word "Flats", and the fearful expression on the driver of the Mercedes led Officer Ruiz to believe the occupants of the vehicles were involved in "tagging" and "hitting up" people for the Primera Flats street gang. Officer Ruiz stopped his police vehicle in the northbound lanes of Wall Street, so that the hood of his police vehicle and the hood of the Mercedes sedan were side by side. Officer Ruiz then proceeded to question the driver of the Mercedes Benz as to whether the occupants of the BMW had demanded to know if he was affiliated with a criminal street gang. Officer Ruiz then reversed his police vehicle and reoriented it in a northwesterly direction facing both vehicles. Officer Ruiz opened the door to his police vehicle, stepped out, and stood behind the open door of his police vehicle.

According to Officer Coyle, when he and Officer Ruiz approached the stopped vehicles, the driver of the Mercedes Benz looked fearful and was shaking and sweating. The occupants of the BMW had shaved heads, tattoos and looked like local Primera Flats gang members. The surrounding area also had fresh "tagging" for the Primera Flats street gang. As Officer Ruiz questioned the driver of the Mercedes, Officer Coyle believed that the driver of the Mercedes might be a victim of a gang crime that had just occurred. Officer Coyle stated that he did not broadcast his Code Six location because he was concerned about the "urgency of the threat" and "to not lose sight of the suspects".

Approximately 28 seconds passed after Officer Ruiz initiated contact with the Mercedes Benz driver, until the BMW reversed away from Officers Ruiz and Coyle's police vehicle at a high speed.

The UOFRB discussed that Officers Ruiz and Coyle were uncertain of what was occurring when they initially approached the two stopped vehicles. Officers Ruiz and Coyle were occupied with assessing the situation and the multiple involved individuals, both in the Mercedes and the BMW. Their assessment indicated that there were multiple possible gang members in the BMW and that the Mercedes driver appeared to be in fear. This magnified Officer Coyle's awareness that this was a dangerous situation with gang members who were possibly involved in a crime. Officer Coyle believed that they may possibly be armed, as, in his training and experience, gang members are frequently armed. Officer Coyle believed that he was unable to take his eyes off of the suspects in the vehicle in order to broadcast a Code Six location.

The UOFRB majority noted that even though the lack of a Code Six broadcast was concerning and should have been broadcast, it was understandable given the limited time that Officers Ruiz and Coyle had to assess the situation and respond to the actions of Villegas, Bravo and Hernandez.

The UOFRB minority reviewed the same set of facts and opined that Officers Ruiz and Coyle articulated that they were working in an area of high gang activity and they had experience patrolling this area. Officers Ruiz and Coyle initiated an investigation into a possible gang crime in progress. Despite the fact Officers Ruiz and Coyle were unsure of the exact crime that was being committed, they articulated that the occupants of the BMW posed a potential danger to the officers due to being gang members. Officer Coyle stated that the situation was exigent and that he did not feel comfortable taking his eyes off the perceived threat of the gang members inside the BMW. However, approximately 28 seconds, passed from the initiation of Officers Ruiz and Coyle's investigatory stop to the moment the BMW reversed. This window of time provided an opportunity, despite Officer Coyle's perception of an exigency, to broadcast a Code Six location. A Code Six broadcast would have placed Officers Ruiz and Coyle in an advantageous position in the event that the situation escalated and additional resources were necessary. The lack of a Code Six broadcast left the rest of the units working in the area unaware of Officers Ruiz and Coyle's exact location and their investigative efforts involving possible gang members. The lack of a Code Six broadcast placed Officers Ruiz and Coyle in a position of disadvantage when the incident escalated and hindered the response of additional units.

The UOFRB minority additionally noted that the lack of a Code Six broadcast continued into the latter part of the incident. As Officers Ruiz and Coyle followed the rapidly reversing BMW, they did not broadcast a Code Six location, nor did they broadcast a Code Six location when they observed the BMW collide into parked vehicles and flee without stopping to exchange insurance information. Both Officers Ruiz and Coyle stated they knew the alley that the BMW fled into was a dead end and Officer Ruiz stated that he intended to detain the BMW for hit and run investigation; however, a Code Six broadcast was not made. The back-up request was broadcast as the occupants of the BMW fled from the police vehicle. This led to Officers Ruiz and Coyle, without additional resources, attempting to detain a car with approximately three possible gang members inside.

Based on the totality of the circumstances, the UOFRB minority determined, and I concur, that Officers Ruiz and Coyle's lack of a Code Six broadcast was a substantial deviation, without justification, from approved Department tactical training. I will direct that this also be a topic of discussion during the Tactical Debrief.

Debriefing Point No. 2

Tactical Vehicle Deployment

(Substantial Deviation, with Justification – Officer Ruiz)

Officers must approach every contact with officer safety in mind. Complacency, overconfidence, poor planning or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).

When stopping one or more suspect(s) using the police vehicle; position the patrol vehicle to maximize officer safety for both officers (Los Angeles Police Department, Regular Basic Course, Tactics Lesson Plan, Pedestrian Stops, Pages 7-8, February 2003).

Officers Ruiz and Coyle stopped their police vehicle alongside two vehicles they believe were involved in a gang related crime and spoke with the driver of one of the vehicles while seated inside of their police vehicle. When they made the decision to exit their police vehicle to further investigate, Officer Ruiz re-orientated their police vehicle from an offset, side by side, position to a diagonal position facing the front hood of the Mercedes vehicle. The distance between the involved vehicles and the police vehicle was approximately 12 feet.

The UOFRB discussed the positioning of Officer Ruiz and Coyle's police vehicle during both their initial investigation of the stopped Mercedes and BMW, in addition to the attempted traffic stop of the BMW in the alley. During the initial investigation of the vehicles, the UOFRB noted Officers Ruiz and Coyle's assessment of the occupants of the BMW. The officers believed they were possible gang members and that they were possibly armed. This led to a discussion of the benefits of redeploying the police vehicle from its initial position. The UOFRB requested input from a Subject Matter Expert (SME) from the Tactics Training Unit. The SME advised the UOFRB that the Department training for conducting a traffic stop when officers find themselves in a less than ideal position would be to bypass the emerging situation and reapproach in order to gain a position of advantage.

Although the UOFRB was critical of Officer Ruiz' positioning of the police vehicle, they also noted Officers Ruiz and Coyle's belief that the occupants of the BMW were possible gang members and that they possibly armed. In this particular case, the officers chose not to expose themselves further by driving by the BWV in a narrow street, which would have brought them closer to the threat they were investigating, and would have additionally exposed the back of their vehicle as they would have reset their traffic stop. The officers chose to reverse their police vehicle, reposition it in a slight northwest direction, angled toward the threat, and utilize the police vehicle engine block and ballistic panels. While this position was not ideal, it allowed the officers to react to the incident in a timely manner, as the alternative would have possibly placed the officers in a position of disadvantage with the suspects located behind them as the officers attempted to redeploy.

Based on the totality of the circumstances, the UOFRB determined, and I concur that Officer Ruiz' decision on the deployment of the police vehicle was a substantial deviation, with justification, from approved Department policy.

Debriefing Point No. 3

Occupying Moving Vehicle with Service Pistol Drawn
(Substantial Deviation, without Justification – Officer Coyle)

Officers must approach every contact with officer safety in mind. Complacency, overconfidence, poor planning or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).

Officer Coyle drew his service pistol while still seated inside of his police vehicle. He then attempted to broadcast a back up request and open his door while maintaining his service pistol in his primary hand. Officer Coyle was delayed and hindered in these efforts by maintaining his service pistol unholstered during the vehicle following of the BMW.

Due to the BMW reversing away at a high speed, Officer Coyle drew his service pistol because he believed that the driver might shift gears into drive and ram his police vehicle. Officer Coyle then kept his service pistol unholstered as he and Officer Ruiz followed the BMW. This led to Officer Coyle being unable to utilize his primary hand to broadcast a back-up request or open his door properly at the termination of the following of the BMW. Officer Coyle was delayed in broadcasting a back-up once in the alley. This delayed broadcasting led to Officer Coyle remaining in the police vehicle to finish his broadcast, instead of exiting quickly to confront Bravo. As Officer Coyle exited his police vehicle, he utilized his primary hand, which was still holding his service pistol, to push open the door of the police vehicle. This greatly increased his chances of having a negligent discharge with his service pistol.

The UOFRB reviewed the circumstances of the incident and was critical of Officer Coyle's unholstering of his service pistol and the keeping of his service pistol unholstered during the vehicle following of the BMW. Officer Coyle's service pistol hindered Officer Coyle's ability to make any broadcasts in response to the BMW's actions. The unholstering of his service pistol also limited Officer Coyle's ability to react to the dynamic incident. The UOFRB also reviewed the policy regarding the Shooting at Moving Vehicles and discussed that a moving vehicle alone shall not presumptively constitute a threat that justifies deadly force.¹² Furthermore, the UOFRB noted that the possibility of a negligent discharge increased as Officer Coyle remained unholstered and had been involved in a traffic collision or the vehicle following evolved into a vehicle pursuit. The UOFRB also noted that as Officer Coyle kept his service pistol unholstered, it hindered his ability to safely exit his police vehicle in response to Bravo running towards him. Officer Coyle pushed his door open with the same hand he was using to maintain control of his service pistol. This greatly amplified the risk of a negligent discharge as Officer Coyle exited the police vehicle due to his attention being divided between multiple tasks.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that Officer Coyle's actions placed him in a tactically disadvantageous position and therefore was a substantial deviation, without justification, from approved Department tactical training. I will direct this topic be discussed during the Tactical Debrief.

Debriefing Point No. 4

Crossfire

(Substantial Deviation, with Justification – Officer Ruiz)

Does the surrounding area provide a clear background/foreground? Officers must be aware of where the bullet will go and where it may stop. Officers should not fire under conditions

¹² Office of the Chief of Police, Special Order No. 1, February 16, 2005 "Shooting at or From Moving Vehicles Policy"

that would subject bystanders to death or possible injury, except in Imminent Defense of Life or to prevent serious bodily injury (Standardized Roll Call Training Program, Deployment Period No. 8/2007).

Officer Ruiz discharged his service pistol while Officer Coyle was in the vicinity of Officer Ruiz' foreground.

After Bravo, Villegas, and Hernandez fled from the BMW, Officer Ruiz lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, towards the rear of his vehicle. Officer Ruiz heard nervousness in Officer Coyle's voice and heard Officer Coyle state, "Drop the gun, drop the weapon!" Officer Ruiz heard approximately three shots being fired. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. According to Officer Ruiz, Bravo was turning his torso and shoulders east, and looking back in their direction, and bringing the handgun up between his torso and shoulders. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. Based on Bravo's body positioning, Officer Ruiz believed Bravo was trying to acquire him and Officer Coyle as a target and intended to shoot at them. In order to protect his life and the life of his partner, Officer Ruiz aimed his pistol at Bravo and discharged one round. Immediately after Officer Ruiz discharged his single round, he observed Officer Coyle to his left and moving to the east, approximately three to four feet in front of him. According to Officer Ruiz, he immediately lowered his muzzle to avoid a crossfire situation. Once Officer Coyle passed to Officer Ruiz' right-hand side, Officer Ruiz once again brought his service pistol up to a low ready, orientated toward Bravo, and assessed if Bravo continued to pose a threat to him and Officer Coyle.

The UOFRB reviewed the footage from Officer Ruiz' BWV and his statements regarding his knowledge of Officer Coyle's positioning during the OIS and his own muzzle direction. Officer Ruiz stated that he was aware of Officer Coyle's positioning and movement during the OIS and that he, Officer Ruiz, had taken necessary measures to ensure that he had not covered Officer Coyle with his service pistol. The UOFRB noted that the BWV footage was concerning because it depicted a possible crossfire situation in which Officer Coyle crossed in front of Officer Ruiz during the OIS. However, the UOFRB discussed the limitations and perspective difference between a chest-mounted BWV and the perspective of a police officer. The UOFRB also noted that the possible crossfire was momentary, Officer Ruiz depressed the muzzle of his service pistol to avoid covering Officer Coyle, and Officer Ruiz did not continue discharging his service pistol. Due to Officer Ruiz' statements that he was aware of Officer Coyle's movement and that he took precautionary measures to avoid a crossfire and those actions being reflected in the BWV footage, the UOFRB discussed that the BWV could differ from Officer Ruiz' observations and thought process during the OIS. In addition, Officer Ruiz was responding to an imminent threat of serious bodily injury (SBI) or death.

Note: According to the FID investigation, the bullet that was recovered from Bravo's right thigh was consistent with the bullets test fired from Officer Ruiz' service pistol.¹³

Based on the totality of the circumstances, the UOFRB determined, and I concur that Officer Ruiz' actions were a substantial deviation, however, with justification, from approved Department policy.

Additional Tactical Debrief Topics

Profanity – When Officer Ruiz exited his police vehicle he utilized profanity when he gave commands to the occupants of the BMW. To enhance future performance, I will direct this to be a topic of discussion during the Tactical Debrief.

COMMAND AND CONTROL

Command and Control is the use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk. Command uses active leadership to establish order, provide stability and structure, set objectives and create conditions under which the function of control can be achieved with minimal risk. Control implements the plan of action while continuously assessing the situation, making necessary adjustments, managing resources, managing the scope of the incident (containment), and evaluating whether existing Department protocols apply to the incident.

Command and Control is a process where designated officers use active leadership to command others while using available resources to accomplish tasks and minimize risk. Active leadership provides clear, concise, and unambiguous communication to develop and implement a plan, direct officers and manage resources. The senior officer or any person on scene who has gained sufficient situational awareness shall initiate Command and Control and develop a plan of action. Command and Control will provide direction, help manage resources, and make it possible to achieve the desired outcome. Early considerations of PATROL will assist with the Command and Control process (Los Angeles Police Department, Training Bulletin, Volume XLVII Issue 4, July 2018).

Line Supervision – Defined. A supervisor who has the specific responsibility of issuing directions and orders to designated subordinates shall be considered as having the duty of line supervisor and shall be held accountable for achieving conformance with the directions and orders that he/she issues (Los Angeles Police Department Manual, Volume 3, Section 135).

¹³ On August 4, 2020, Criminalist I Trisha Ariyasu, Serial No. N74729, Forensic Science Division, Firearms Analysis Unit, completed a Type and Caliber Examination Report. Criminalist Ariyasu determined the bullet collected from Bravo's right thigh was consistent with bullets test fired from Officer Ruiz' service pistol.

Incident Commander (IC) – In accordance with Department Policy, the IC sets the objectives, the strategy and directs the tactical response. Directing the tactical response means applying tactics appropriate to the strategy, assigning the right resources and monitoring performance (Supervisor's Field Operations Guide, Volume 2, LAPD Emergency Operations Guide).

Officer Urrutia was the first responding unit to the shots fired help call. Officer Urrutia met with Officers Ruiz and Coyle and learned that an OIS had occurred. Officer Urrutia broadcast a shots fired officer needs help broadcast and established a perimeter for the two outstanding suspects. After additional personnel arrived, Officer Urrutia facilitated the removal of Officers Ruiz and Coyle from the ongoing tactical situation and replaced them with other officers.

The actions of Officer Urrutia were consistent with Department training and my expectations of a senior officer during a critical incident.

Sergeant Koval was the first supervisor to arrive at the OIS scene and declared himself the Incident Commander (IC) over Newton base frequency. Sergeant Koval identified Officers Ruiz and Coyle as being the officers involved in the OIS. Sergeant Koval then directed Sergeants Hines and Blanco to separate, monitor and obtain Public Safety Statements (PSS) from Officers Ruiz and Coyle. Sergeant Koval verified if an RA had already been requested. When he was advised an RA was not enroute, he requested that an RA to respond. With the assistance of Sergeant Contreras, Sergeant Koval formulated a tactical plan and an arrest team to take Bravo into custody and provide medical attention to him.

Sergeants Hines and Blanco responded to the OIS incident. Sergeant Hines separated, monitored, and obtained a PSS from Officer Ruiz. Sergeant Blanco separated, monitored, and obtained a PSS from Officer Coyle.

Sergeant Contreras responded to the OIS incident. Sergeant Contreras assisted with the formation of the arrest team and provided direction to the involved officers during the arrest of Bravo.

Lieutenant Jovel arrived shortly after Sergeant Koval. Lieutenant Jovel assumed the role of Incident Commander and relieved Sergeant Koval of his duties as the prior Incident Commander. Lieutenant Jovel directed the creation of a CP, the implementation of the Incident Command Systems (ICS), and notifications to Metropolitan Division. Lieutenant Jovel delegated tasks such as the physical arrest of Bravo, the monitoring of the involved officers and other logistical tasks to the multiple sergeants that responded to the help call.

The actions of Lieutenant Jovel, and Sergeants Koval, Hines, Blanco, and Contreras were consistent with Department supervisory training and my expectations of field supervisors during a critical incident.

Tactical Debrief

In conducting an objective assessment of this case, the UOFRB determined, and I concur, that Officers Coyle's tactics were a substantial deviation without justification from Department policy and training, thus requiring a finding of Administrative Disapproval.

In addition, the UOFRB minority determined, and I concur that Officer Ruiz' tactics were a substantial deviation, without justification, from Department policy and training, thus requiring a finding of Administrative Disapproval.

Each tactical incident also merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made. A Tactical Debrief is the appropriate forum for the involved officers to discuss individual actions that took place during this incident.

Note: Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Tactical Planning;
- Radio and Tactical Communication (including Code Six);
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

General Training Update (GTU)

On May 7th, 2020, Officers Ruiz and Coyle attended a General Training Update (GTU) where all mandatory topics were covered.

Drawing/Exhibiting

Department policy relative to drawing and exhibiting a firearm is: *"An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified"* (Los Angeles Police Department Manual, Volume No. 1, Section 556.80)

Officer Coyle

According to Officer Coyle, when he and Officer Ruiz initially began investigating the stopped Mercedes and BMW, he observed that there were three male Hispanics with shaved heads and

facial tattoos seated in the BMW. Officer Coyle believed that they resembled local Primera Flats gang members. He also observed that the driver of the Mercedes was sweaty and shaking and appeared very scared. Officer Coyle believed that the driver of the Mercedes was possibly a victim of gang crime perpetrated by Primera Flats gang members. Officer Coyle was concerned about the urgency of the threat and stated that he, "Didn't want to lose sight" of the suspects when he and Officer Ruiz were speaking with the driver of the Mercedes. The BMW then reversed at a "high rate of speed." Officer Coyle stated that he unholstered his service pistol because he believed the situation may escalate to the point where deadly force would have been justified. Officer Coyle believed there was a possibility that the suspect vehicle was going to drive towards him and Officer Ruiz and ram them. Officer Coyle's belief stemmed from an incident where his partner had recently been rammed in the weeks before this incident.

Officer Coyle recalled,

*. . . the driver looked scared - - very scared. He was sweaty; he was shaking. And my partner asked, like, "Hey, did they hit you up? Did these guys behind me hit you up?" Like, "Where are you from?"*¹⁴

*But I'm looking at the car behind him, which has - -had approximately three suspects - -three people in the car - - Hispanic - - three Hispanic males. One had a shaved head and tattoos. And then - - so - - looked like local Primera Flats gang members. . .*¹⁵

*. . .around right there was I was more concerned about the urgency of the threat right in front of me and not trying to lose sight of my suspects. . .*¹⁶

*And as soon as that vehicle started reversing, I draw and exhibit my firearm due to the reason I believed that the situation may escalate to the point where deadly force is justified because they are driving the vehicle back at a high rate of speed. I don't know if they're going to put it in drive and would ram us. My partner recently got rammed two weeks ago in one of his pursuits for a suspect.*¹⁷

*And knowing the area and frequenting that area, I know that that's a dead-end alley. You cannot go anywhere. So I know these guys are going to jump out of the car and bolt. So that's why I stay unholstered.*¹⁸

¹⁴ Officer Coyle, Page 8, Lines 5-8

¹⁵ Officer Coyle, Page 7, Lines 20-24

¹⁶ Officer Coyle, Page 9, Lines 5-7

¹⁷ Officer Coyle, Page 8, Lines 18-24

¹⁸ Officer Coyle, Page 9, Lines 21-25

Officer Ruiz

According to Officer Ruiz, he unholstered his service pistol because he saw Bravo run toward Officer Coyle while holding what he believed to be a weapon inside his waistband. As Bravo ran towards Officer Coyle, Officer Coyle said, "Drop the weapon." Officer Ruiz heard approximately three shots being fired and unholstered his service pistol. Officer Ruiz then lost sight of Officer Coyle and Bravo behind his police vehicle.

Officer Ruiz recalled,

But then I see the rear passenger run towards my partner. I lose sight of my partner, and I lose sight of the suspect.¹⁹

I saw him holding a -- what I believe to be a weapon inside his waistband. As he ran towards my partner and he said, "Drop the weapon."²⁰

Detective Robledo: Do you recall how many shots you heard?

Officer Ruiz: I heard more than three at that point.²¹

I unholstered my weapon to protect my partner's life and to protect my life.²²

The UOFRB conducted an evaluation of the reasonableness of Officers Ruiz and Coyle's drawing and exhibiting of their service pistols. The UOFRB would have preferred that Officer Coyle had not drawn his service pistol prior to initiating a high risk stop of the BMW. The UOFRB acknowledged that Officer Coyle believed that the incident involved members of a criminal street gang. Officer Coyle was presented with a rapidly developing tactical situation during which he was able to utilize his service pistol to address an immediate deadly threat posed by Bravo's actions. Officer Ruiz was presented with a rapidly escalating incident where he observed Bravo possibly armed with a weapon inside of his waistband, heard Officer Coyle state, "Drop the weapon," and heard three gunshots.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Officers Ruiz and Coyle, while faced with similar circumstances, would reasonably believe that there was a substantial risk that the situation may escalate to the point where deadly force may be justified.

Therefore, I find Officers Ruiz and Coyle's Drawing/Exhibiting to be In-Policy, No Further Action.

¹⁹ Officer Ruiz, Page 27, Lines 3-5

²⁰ Officer Ruiz, Page 30, Lines 8-10

²¹ Officer Ruiz, Page 34, Lines 23-25

²² Officer Ruiz, Page 30, Lines 20-21

Policy on the Use of Force

Use of De-Escalation Techniques²³

It is the policy of this Department that, whenever practicable, officers shall use techniques and tools consistent with Department de-escalation training to reduce the intensity of any encounter with a suspect and enable an officer to have additional options to mitigate the need to use a higher level of force while maintaining control of the situation.

Factors Used to Determine Objective Reasonableness²⁴

*The Department examines reasonableness using *Graham v. Connor* and the articulated facts from the perspective of a Los Angeles Police Officer with similar training and experience, in the same situation, based on the totality of the circumstances.*

In determining the appropriate level of force, officers shall evaluate each situation in light of facts and circumstances of each particular case. Those factors may include, but are not limited to:

- *The feasibility of using de-escalation tactics;*
- *The seriousness of the crime or suspected offense;*
- *The level of threat or resistance presented by the subject;*
- *Whether the subject was posing an immediate threat to officers or a danger to the community;*
- *The potential for injury to citizens, officers or subjects;*
- *The risk or apparent attempt by the subject to escape;*
- *The conduct of the subject being confronted (as reasonably perceived by the officer at the time);*
- *The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;*
- *The availability of other resources;*
- *The training and experience of the officer;*
- *The proximity or access of weapons to the subject;*
- *Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number officers versus subjects; and,*
- *The environmental factors and/or other exigent circumstances.*

²³ Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

²⁴ Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

Use of Force – Deadly²⁵

It is the policy of this Department that deadly force shall be used only when necessary in defense of human life. Specifically, deadly force shall be used only to:

- *To defend against an imminent threat of death or serious bodily injury to the officer or to another person; or*
- *To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.*

In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible.

***Note:** Because the application of deadly force is limited to the above scenarios, an officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or another person.*

The Department's Evaluation of Deadly Force²⁶

*The Department will analyze an officer's use of deadly force by evaluating the totality of the circumstances of each case consistent with the California Penal Code Section 835(a), as well as the factors articulated in *Graham v. Connor*.*

Officer Coyle – 9mm, Glock Model 34, seven rounds, in two volleys, in a northeasterly direction from an increasing distance of approximately 12 to 17 feet.

Note: The FID investigation was unable to determine the exact number of rounds discharged in each volley.

²⁵ Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

²⁶ Office of the Chief of Police (OCOP), Special Order No. 4, "Policy on the Use of Force - Revised," was adopted by the Department on February 5, 2020 and amended LAPD Manual, Volume 1, Section 556.10.

Volley One – 9mm, three to four rounds in a northeasterly direction from an increasing distance of approximately 12 to 17 feet.

According to Officer Coyle, he observed Bravo running in his direction and “holding his waistband, as if he’s going to pull a weapon out from his waistband.” Officer Coyle dropped the microphone from his left hand and turned to his right to exit the vehicle. As Bravo ran on the sidewalk, Officer Coyle observed Bravo remove a blue-steel handgun from his waistband with his right hand. Officer Coyle believed Bravo was removing the handgun in an attempt to shoot him. As Bravo removed the handgun, Officer Coyle believed Bravo lost his grip, because the handgun went flying in front of him. Officer Coyle estimated that the gun slid approximately 12 feet in front of Bravo. Officer Coyle stated he knew it was a real handgun when he observed the glare from the light reflecting off the handgun as it was flying through the air and heard the steel hit the concrete when it hit the ground. When Bravo ran past him on the sidewalk, Officer Coyle estimated Bravo came within seven to ten feet of him. According to Officer Coyle, due to the fact Bravo just dropped a firearm, Officer Coyle moved east in the alley toward the rear of his police vehicle. Officer Coyle’s intent was to redeploy around the rear of his vehicle to be with Officer Ruiz on the driver’s side of the vehicle, since he no longer had the cover of his vehicle door. As Officer Coyle moved, he began to point his service pistol at the middle portion of Bravo’s back. As Bravo continued east and neared his handgun lying in the parkway, Bravo “reached down and grabbed” the handgun with his right hand. Believing that Bravo was going to shoot him or his partner, Officer Coyle discharged his first volley of approximately three to four rounds at the center of Bravo’s back. Officer Coyle stated he fired because Bravo, “had already presented the fact that he was going to pull a” handgun “and shoot” him, “because he already tried and dropped it.” Officer Coyle also stated that Bravo “had a chance” to run, but “instead of running past” the handgun, Bravo “grabbed the” handgun “to shoot me and my partner.”

Officer Coyle recalled,

Holding his waistband, as if he’s going to pull a weapon out from his waistband.”²⁷

This -- this suspect ran directly towards me, running full speed towards me, reaching into his waistband, looking right at me, and as soon as I went to put myself code six, I saw him reaching on his waistband, and that's when I threw my -- I threw my mic in front of shop, and I -- I tried to see -- and I redeployed out. And then that's when the suspect pulled a handgun in attempt to shoot me. And then as he was -- as he was gripping it, he lost -- he lost control of the handgun.²⁸

I went to his right to get a better angle, because I know he just dropped a gun. He's just trying -- he just tried to kill me with that pistol.²⁹

²⁷ Officer Coyle, Page 21, Lines 19 - 21.

²⁸ Officer Coyle, Page 22, Lines 6-15

²⁹ Officer Coyle, Page 27, Lines 1-4

And as soon as -- and then instead of running past the pistol, he reached down and grabbed the pistol like -- like this.³⁰

Once he picks up the gun with his right hand, I see him angle like this as he's going to turn and shoot me with the pistol.³¹

I see the pistol in his hand. And that -- at that time I fired approximately three rounds -- three full rounds.³²

Because the suspect had already presented the fact that he was going to pull a pistol and shoot me, because he already tried and he dropped it. And he -- he had a chance -- he ran -- instead of running past the pistol, he grabbed the pistol at -- to shoot me and my partner.³³

At that time I had no other option. I had no other option to do a less lethal due to the fact that there was a handgun right in front of me in the suspect's hand.³⁴

The suspect stood up after the volley of three -- the first volley of three to four rounds and made forward progress eastbound.³⁵

And as I step out of the vehicle and go to the right, I see the suspect pull with his hand -- with his right hand a Blue Steel pistol out of his waistband in attempt to shoot me with it. And he drops the pistol as he's -- he loses grip of the pistol, and the pistol goes flying in front of him. And I see the -- I see the glare from the light reflecting off the pistol as it's flying through the air, and I hear it hit the ground, knowing that it's a real gun, because I heard the steel hit the concrete. So -- and then knowing that this suspect just tried to shoot me, the suspect runs eastbound and then reaches down with his right hand to pick up the pistol in attempt to turn around and shoot me. And -- excuse me. And to protect myself from an imminent threat of death, I fired approximately three rounds at the suspect, because the suspect was going to turn around and shoot me and my partner.³⁶

Volley Two --9mm, three to four rounds in a northeasterly direction from an approximate distance of 17 feet.

According to Officer Coyle, after his first volley, he quickly assessed and observed Bravo continue to run east while looking back, west, at him and Officer Ruiz, with the handgun still in Ruiz' right hand. Officer Coyle noted Bravo's body was bladed to right, with his left foot on the ground, and his right foot back toward their direction. Officer Coyle observed Bravo raise his

³⁰ Officer Coyle, Page 27, Lines 10-11

³¹ Officer Coyle, Page 28, Lines 20-22

³² Officer Coyle, Page 29, Lines 19-21

³³ Officer Coyle, Page 32, Lines 18-23

³⁴ Officer Coyle, Page 33, Lines 1-4

³⁵ Officer Coyle, Page 36, Lines 9-11

³⁶ Officer Coyle, Page 10-11, Lines 11-3

right arm to shoulder level and point the handgun at him and Officer Ruiz. Officer Coyle stepped to his right as he aimed his service pistol at the right side of Bravo's chest and discharged a second volley of approximately three to four rounds at Bravo. When asked if he felt there was any other options other than to fire his second volley, Officer Coyle stated, "No. That handgun was pointed right at me and my partner. And if I didn't stop that threat, he was going to kill me and my partner."

Officer Coyle recalled,

I assessed. And as I -- in that assessment, the suspect makes a right motion to look back at me. So he's running eastbound as -- after my reassessment of three to four rounds, the suspect looks westbound towards me and my partner with the pistol in his right hand. And I can see the shine -- like, the lighting -- I can see the shine off the pistol. I can identify it as a pistol. And I see the suspect pointing the weapon at me and my partner, so I then shot another volley of three to four rounds.³⁷

His arm -- right arm to -- like, a blade.³⁸

-- towards me and my partner.³⁹

The gun was level at his shoulder pointed towards me and my partner westbound in the alley.⁴⁰

No. That handgun was pointed right at me and my partner. And if I didn't -- if I didn't stop that threat, he was going to kill me and my partner.⁴¹

Officer Ruiz – 9mm, Smith & Wesson M & P, one round in a northeasterly direction from an approximate distance of approximately 9 feet.

According to Officer Ruiz, he had lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, toward the rear of his vehicle. Officer Ruiz heard nervousness in Officer Coyle's voice and heard Officer Coyle state, "Drop the gun, drop the weapon!" Officer Ruiz heard approximately three shots being fired, so he unholstered his pistol and held it in a two handed shooting position. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. According to Officer Ruiz, Bravo was turning his torso and shoulders east, and looking back in their direction, and bringing the handgun up between his torso and shoulders. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. Based on Bravo's body positioning, Officer Ruiz believed Bravo was

³⁷ Officer Coyle, Page 35, Lines 1-5

³⁸ Officer Coyle, Page 37, Lines 2-3

³⁹ Officer Coyle, Page 37, Line 5

⁴⁰ Officer Coyle, Page 37, Lines 22-23

⁴¹ Officer Coyle, Page 43, Lines 5-7.

trying to acquire him and Officer Coyle as a target and intended to shoot at them. In order to protect his life and the life of his partner, Officer Ruiz aimed his pistol at Bravo's upper torso and lower shoulder area, and discharged one round. Immediately after Officer Ruiz discharged his single round, he observed Officer Coyle to his left and moving to the east, approximately three to four feet in front of him. According to Officer Ruiz, he immediately lowered his muzzle to avoid a crossfire situation.

Officer Ruiz recalled,

And I begin to walk backwards to the rear of my vehicle when I hear my partner -- I can't recall exactly what he was saying, but in a loud tone and loud voice -- and having multiple experience with my partner, I know that he's a very -- very calm and very professional individual that I can hear the stress in his voice and the -- the nervousness. So that made me nervous to hear my partner nervous, because I know how he -- he holds himself.⁴²

He has a gun in his hand.⁴³

...his two feet were still continuing eastbound, but his torso and upper body as well as his shoulders were trying to make a turn westbound. And with my training and experience, it makes me think that with the gun, they're trying to acquire a target behind them, which would be my partner and myself.⁴⁴

I know that his -- his upper half is making a twisting motion and an upwards motion towards my partner.⁴⁵

It would be between his torso and his shoulder.⁴⁶

I have a line of sight with my weapon and the suspect.⁴⁷

I fire my weapon at the suspect.⁴⁸

...in order to protect my life and my partner's life.⁴⁹

"Drop the gun, drop the weapon!"⁵⁰

⁴² Officer Ruiz, Page 13, Lines 5-13

⁴³ Officer Ruiz, Page 32, Line 12

⁴⁴ Officer Ruiz, Page 32, Lines 18-23

⁴⁵ Officer Ruiz, Page 38, Lines 8-10

⁴⁶ Officer Ruiz, Page 38, Line 25, Page 39, Line 1

⁴⁷ Officer Ruiz, page 33, Lines 20-21

⁴⁸ Officer Ruiz, Page 34, Line 1

⁴⁹ Officer Ruiz, Page 34, Lines 3-4

⁵⁰ Officer Ruiz, Page 29, Lines 10 - 11.

Background – The OIS occurred in an east/west alleyway, south of 2225 Wall Street. The area consisted of apartment complexes on the west side of Wall Street and the north side of the alley. Single family residences were located along the east side of Wall Street. A warehouse was located along the south side of the alley. The alleyway is the egress/ingress for vehicle parking for 2219 Wall Street. The alleyway also allows access to the rear of an industrial clothing warehouse located at 2250 Maple Avenue and rear access for Vaqueros Market, located at 2228 Maple Avenue. The OIS occurred during the hours of darkness at approximately 2138:48 hours. According to the FID investigation, the officers' background at the time of the OIS was the wall of the apartment complex, located on the north side of the alley. According to the FID investigator, FID canvassed the OIS scene for any potentially injured residents, and determined that no residents were injured as a result of the OIS incident. Forensic Science Division (FSD), Firearms Analysis Unit (FAU) criminalists conducted an examination of the OIS scene for ballistic impacts, trajectories and projectiles. Their examination did not locate any ballistic impacts or trajectories.

The UOFRB considered the circumstances of the OIS and noted that the background when both Officer Coyle and Ruiz discharged their service pistol appeared to be a wall of an apartment complex. The UOFRB noted, and I concur, that the background of the OIS for both Officers Coyle and Ruiz did not have any particular concerns.

In this case, the UOFRB conducted a thorough review and analysis of the reasonableness of Officer Coyle's use of deadly force. Officer Coyle observed Bravo running in his direction, holding his waistband, as if he's going to pull a weapon out from his waistband. Officer Coyle turned to his right to exit the police vehicle. As Bravo ran on the sidewalk, Officer Coyle observed Bravo remove a blue-steel handgun from his waistband with his right hand. Officer Coyle believed Bravo was removing the handgun in an attempt to shoot him. As Bravo removed the handgun, Officer Coyle believed Bravo lost his grip, because the handgun went flying in front of him. Officer Coyle estimated that the gun slid approximately 12 feet in front of Bravo. Officer Coyle knew it was a real handgun when he observed the glare from the light reflecting off the handgun as it was flying through the air and heard the steel hit the concrete when it hit the ground. When Bravo ran past him on the sidewalk, Officer Coyle estimated Bravo came within seven to ten feet of him. Due to the fact Bravo just dropped a firearm, Officer Coyle moved east in the alley towards the rear of his police vehicle with the intent to redeploy around the rear of his police vehicle to be with Officer Ruiz on the driver's side of the police vehicle, since Officer Coyle no longer had the cover of his vehicle door. As Officer Coyle moved, he began to point his service pistol at the middle portion of Bravo's back. As Bravo continued east and neared his handgun lying in the parkway, Bravo reached down and grabbed the handgun with his right hand. Believing that Bravo was going to shoot him or his partner, Officer Coyle discharged his first volley of approximately three to four rounds at the center of Bravo's back. Officer Coyle stated he fired because Bravo had already presented that he was going to pull a handgun and shoot him, because Bravo had already tried to and dropped the handgun. Officer Coyle assessed that Bravo had a chance to run, but instead of running past the handgun, Bravo grabbed the handgun to shoot Officers Coyle and Ruiz.

The UOFRB reviewed Officer Coyle's discharging of an additional three rounds to four rounds (Volley Two). After Officer Coyle's first volley, he quickly assessed and observed Bravo continue to run east while looking back, west, at him and Officer Ruiz, with the handgun still in his right hand. Officer Coyle noted Bravo's body was bladed to the right, with his left foot on the ground, and his right foot back toward their direction. Officer Coyle observed Bravo raise his right arm to shoulder level and point the handgun at him and Officer Ruiz. Officer Coyle stepped to his right as he aimed his service pistol at the right side of Bravo's chest and discharged a second volley of approximately three to four rounds at Bravo. When asked if he felt there was any other options other than to fire his second volley, Officer Coyle stated, "No. That handgun was pointed right at me and my partner. And if I didn't stop that threat, he was going to kill me and my partner." Officer Coyle immediately assessed again after he discharged his second volley and observed that Bravo had fallen to the ground. Officer Coyle determined that Bravo was no longer an imminent threat and did not discharge additional rounds. I have noted the rapid escalation and dynamics of this incident.

The UOFRB conducted a thorough review and analysis of the reasonableness of Officer Ruiz' use of deadly force. Officer Ruiz stated that he had lost sight of Officer Coyle and Bravo due to being on the driver's side of the police vehicle, so he began to move east, toward the rear of his police vehicle. Officer Ruiz heard nervousness in Officer Coyle's voice and heard Officer Coyle state, "Drop the gun, drop the weapon!" Officer Ruiz heard approximately three gunshots being fired, so he unholstered his pistol and held it in a two-handed shooting position. As Officer Ruiz came out from behind the police vehicle, Officer Ruiz observed Bravo bent over at the waist, holding a handgun in his right hand. According to Officer Ruiz, Bravo was turning his torso and shoulders east, and looking back in their direction, and bringing the handgun up between his torso and shoulders. Because Officer Ruiz had already heard shots being fired, he believed Bravo had fired at Officer Coyle. Based on Bravo's body positioning, Officer Ruiz believed Bravo was trying to acquire him and Officer Coyle as a target and intended to shoot at them. In order to protect his life and the life of his partner, Officer Ruiz aimed his pistol at Bravo's upper torso and lower shoulder area, and discharged one round. Immediately after Officer Ruiz discharged his single round, he observed Officer Coyle to his left and moving to the east, approximately three to four feet in front of him. According to Officer Ruiz, he immediately lowered his muzzle to avoid a crossfire situation. The UOFRB noted that Officer Ruiz discharged his service pistol in a controlled manner. Officer Ruiz discharged a single round, assessed and was aware of Officer Coyle moving across, and did not discharge any additional rounds.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Officers Ruiz and Coyle, would reasonably believe Bravo's actions presented an imminent threat of death or serious bodily injury and that the use of deadly force was necessary and objectively reasonable.

Therefore, I find Officers Ruiz and Coyle's use of lethal force to be In Policy, No Further Action.

Additional/Equipment

Medical Treatment/Rendering Aid – After the OIS, at approximately 2142:11 hours, Sergeant Koval responded and assumed incident command. At approximately 2145:16 hours, Sergeant Koval requested a RA. Sergeant Koval assessed that the RA would not respond to the alley due to the ongoing tactical situation of two outstanding suspects. Sergeant Koval formulated a tactical plan to take Bravo into custody and move him to a location that the RA would respond to immediately. Sergeant Koval directed Bravo's arrest and relocation to the intersection of 23rd Street and Wall Street. At approximately 2155:50 hours, LAFD personnel arrived at scene and rendered aid to Bravo. LAFD personnel were unable to revive Bravo and determined death at 2200 hours.

Body Worn Video

Sworn Employee	Serial No.	Issue	Priors	Recommendation
L. Contreras	25402	Timely Activation	1	Divisional Training

Body Worn Video – Audit

Sworn Employee	Serial No.	BWV Audit Type	Date Range	Result	Compliance Rate
L. Contreras	25402	Timely Activation	9/7/20 – 10/6/20	8 out of 8	100%

Required Equipment (DICVS Microphone)

Sworn Employee	Serial No.	Issue	Recommendation
K. Ruiz	42706	DICVS microphone not mounted on person	Comment Card

Required Equipment

Sworn Employee	Serial No.	Issue	Recommendation
K. Ruiz	42706	No Baton	Divisional Training
R. Jovel	33400	No Baton	Divisional Training
L. Blanco	42648	No HRD	Divisional Training
L. Contreras	25402	No HRD	Divisional Training
R. Koval	37786	No HRD	Divisional Training
A. Urrutia	36065	No HRD, No Baton	Divisional Training
W. Hines	37786	No HRD, No Baton	Divisional Training
S. Blanco	39533	No HRD, No Baton	Divisional Training

Less-Lethal Force Options

Sworn Employee	Serial No.	Issue	Recommendation
R. Koval	32560	Less-Lethal Option not incorporated in tactical plan	Divisional Training

Audio/Video Recordings

Digital In-Car Video System (DICVS) – Officers Ruiz and Coyle’s DICVS captured the occupants inside of the black BMW and the exiting of all the occupants. The DICVS did not capture the OIS.

Multiple additional police vehicles equipped with DICVS responded to this incident. None of the videos captured the OIS.

Body Worn Video (BWV) – Officers Coyle and Ruiz’ BWVs each captured a portion of their actions during the initial encounter with the driver of the Mercedes. Officer Ruiz’ BWV was activated just prior to the stop of the BMW and captured the OIS. Officer Coyle’s BWV was activated following the OIS; however, the two-minute buffer captured the OIS in its entirety without audio.

Officers Salcedo, Zuniga, Vidaure, Braun, Holstein, Blanco, Sanko, Garcias and Sergeants Contreras and Koval’s BWV captured portions of Bravo’s apprehension.

The BWV of Officer H. Almaraz, Serial No. 27559, S. Wills, Serial No. 33368, and M. Corral, Serial No. 40625, Metropolitan Division, captured portions of the K-9 contact and the arrest of Hernandez.

The BWV of Officers A. Governale, Serial No. 40360, and S. Carnevale, Serial No. 27920, Metropolitan Division, captured the arrest of Villegas.

Outside Video – Security video from the store at 2250 Maple Avenue captured Villegas entering the BMW, the initial contact by the officers with the BMW and Mercedes, and the BMW and police vehicle as they drove north on Wall Street and into the alley. The video did not capture the OIS.

Security video from the residence at 2224 Wall Street captured portions of the K-9 search, but did not capture the OIS or the K-9 contact.

Respectfully,


MICHEL R. MOORE
Chief of Police

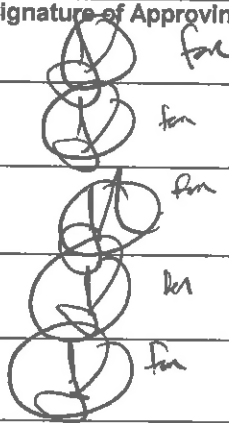


Date: _____

2/25/21

LOS ANGELES POLICE DEPARTMENT
USE OF FORCE REVIEW BOARD REPORT

INC NO. 017-20	CF NO.	DR. NO. 2013-10361/ 2013-10362
OIS		

REVIEW BOARD INFORMATION

Location of Incident 2225 Wall Street	RD 1322	Date of Incident April 30, 2020	Date and Time of Board Review February 01, 2021, 1430 hours
Chairman Assistant Chief D. Choi, Serial No. 32350	Signature of Approving Board Members:		
Member (Office Representative) Commander M. Rimkunas, Serial No. 32211			
Member (Training Bureau) Commander M. Reina, Serial No. 34490			
Member (Bureau) Commander A. Labrada, Serial No. 30398			
Peer Member (Officer) Officer W. Given, Serial No. 41110			
Training Division Sergeant A. Kukla, Serial No. 33249			
Presenting Commanding Officer Captain R. Goddard, Serial No. 32757			
NOTES: VIRTUAL VOIPERS DUE TO COVID RESTRICTIONS WITNESS:  ST. LOUIS PAREDES 33910 CONFIRMED:  SAT ALVAREZ #34962			
ADDITIONAL CONSIDERATIONS: TACTICS - OFFICERS COYLE AND RUIZ (3 IN Policy, 2 ADMIN DISAPPROVAL)			
MODIFICATION TO PRESENT POLICY, PRACTICES OR TRAINING:			
<div style="text-align: right;"> COP Date Signed: 2/25/21 PC Date Submitted: 2/25/21 </div>			

Employee (Last Name, First, Middle) Coyle, Luke		Serial No. 43567	Rank/Class Police Officer II	Incident No. 017-20
Length of Employment 1 year, 11 months		Current Division Newton		Time in Current Division 0 years, 4 months

Use of Force Review Board	Chief of Police	Police Commission
<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval	<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval	<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval
<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Less-Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Non-Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)	<u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)	<u>Unintentional Discharge</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)
<u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)	<u>Other Issues</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)

Notes: JA 34942 JD 34942

<u>Final Adjudication for Out of Policy/ Administrative Disapproval Finding</u> <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input checked="" type="checkbox"/> Employee's Work History Reviewed	Notes:
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*A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.

Employee (Last Name, First, Middle) Ruiz, Kevin		Serial No. 42706	Rank/Class Police Officer II	Incident No. 017-20
Length of Employment 3 years, 7 months		Current Division Newton	Time in Current Division 2 years, 1 month	
Use of Force Review Board		Chief of Police		Police Commission
<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval		<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval		<u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval
<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Less-Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Non-Lethal Use of Force</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
<u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)		<u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)		<u>Unintentional Discharge</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval)
<u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)		<u>Other Issues</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval)
Notes: 34911 34912				
<u>Final Adjudication for Out of Policy/ Administrative Disapproval Finding</u> <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input checked="" type="checkbox"/> Employee's Work History Reviewed		Notes:		

*A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.